D.B. CIVIL MISC. RESTORATION APP. NO.214/2007
Punjab National Bank
v.
Shri B.N. Agarwal

Date of order : 28.05.2007.

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ
. . .

Shri N.K. Maloo for the applicant.

By this application the petitioner seeks restoration of D.B. Civil Special Appeal no.355/1994 which stood dismissed for non compliance of the order dated 25.8.2004. By the said order one week's time was allowed to file process fee etc. which was not done with the result that the appeal stood dismissed. It is stated that requisites were filed on the very next day but as the appellant was not aware of the fresh address of the respondent, the same was not filed.

In the circumstances, the default not being deliberate, and there being substantial compliance of the order, the application is allowed and D.B. Civil Special Appeal no.355/1994 is restored to original file subject to appellant's filing fresh address by tomorrow.

(MOHAMMAD RAFIQ), J. (S.N.JHA), C.J.

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